

Our Ref.: SAT-45

Client's Ref.: P0315

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

-----X

In re Application of: T. SATO : Examiner: Kurtz,  
Benjamin M.  
Serial No.: 10/524,863 :  
Filed: September 28, 2005 : Art Unit: 1797  
Title: SINK WITH OIL CONTENT : Confirmation No.: 2999  
RECOVERY FUNCTION

-----X

Dated: September 28, 2009

RESPONSE

Hon. Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22312-1450

CERTIFICATE OF ELECTRONIC TRANSMISSION  
I hereby certify that this document is  
being EFS-Web or facsimile transmitted to  
the USPTO or deposited with the United  
States Postal Service with sufficient  
postage as first class mail in an  
envelope addressed to: Commissioner for  
Patents, P.O. Box 1450, Alexandria, VA  
22313-1450 on September 28, 2009.

LUCAS & MERCANTI, LLP

BY: 

Asuka Tina Yanagida

Sir:

This is in response to the Office Action dated June  
29, 2009 in the above identified application. Attached  
hereto, each starting on a separate page, are the Claim  
Amendments and Remarks.

DO NOT ENTER: /BK/

CLAIM AMENDMENTS

Claims 1-4 (Cancelled)

Claim 5 (Currently Amended) A sink comprising:

a basin having side walls and a bottom wall, with an opening in the bottom wall;

a separation vessel formed underneath said basin, ~~extended—continuously~~ said separation vessel having downwardly extending sidewalls that extend in a continuous manner directly vertically downward from said opening, and are commensurate with a perimeter of said opening, said separation vessel communicating with said basin via said opening into which wastewater flows, said separation vessel forming vertically a first part of a letter U-shaped passage which begins at said opening, therein separating oil content from said wastewater based on the difference in specific gravity between said oil content and water;

a water storage vessel forming a second part of the letter U-shaped passage which begins at said opening as a whole together with said separation vessel and storing said wastewater sent from said separation vessel up to a predetermined water level;

a draining means to make flooding water from said water storage vessel flow out; and

an opening/close means provided at a side of said separation vessel in a place located at said predetermined water level, for recovering said separated oil content floating inside said separation vessel.

Claim 6 (Previously Presented)

The sink as claimed in Claim 5,  
wherein said draining means has a buffer vessel, which is formed between said separation vessel and water storage vessel, for buffering a stream of said flooding water.

Claim 7 (Previously Presented)

The sink as claimed in Claim 5,  
wherein said separation vessel and said water storage vessel have a common partition member for forming said letter U-shaped passage, and said draining means has a structure with an inlet formed at position of said predetermined water level on a circumferential side wall of said water storage vessel and a pipe-shaped member formed out so as to connect said inlet and outside of said water storage vessel.

Claim 8 (Previously Presented)

The sink as claimed in Claim 5,

wherein said separation vessel and said water storage vessel have a common partition member for forming said letter U-shaped passage, and said draining means has an inlet formed at position of said predetermined water level within said water storage vessel and a pipe-shaped member formed therein so as to connect said inlet and outside of said water storage vessel.

Claim 9 (Previously Presented)

The sink as claimed in Claim 5, further comprising:

a second means for opening and closing the separation vessel provided in a front lower part of said separation vessel for depleting sedimentary garbage in said separation vessel, at a place below said predetermined water level.

Claim 10 (Currently Amended)

A sink comprising:

a basin having two side walls, a front wall and a back wall; wherein the front wall and the back wall are bent toward each other and then bent vertically downward to form a bottom wall of the basin with an oblong, horizontal opening in the bottom wall;

a separation vessel provided formed underneath the basin ~~continuously~~ , said separation vessel having

downwardly extending sidewalls that extend in a continuous manner directly vertically downward from said opening, and are commensurate with a perimeter formed by said opening, where said separation vessel has two side walls formed by the same piece of material as the two side walls of the basin and a front wall and a back wall formed by the same piece of material as the front wall and back wall of the basin bent vertically downward at the opening;

a water storage vessel underneath the basin, where the water storage vessel is horizontally adjacent and in fluid communicating with the separation vessel in a form of a U-shaped water passage which begins at said opening;

a draining means connected to the water storage vessel at a place with a height of a predetermined water level; and

a opening/closing means provided a the front wall of the separation vessel at a place with the same height as the draining means.

Claim 11 (Currently Amended)

A sink comprising:

a basin having side walls and a bottom wall with an opening in the bottom wall;

~~a separation vessel formed underneath the opening ,  
the separate vessel communicates with a water storage  
vessel forming a U-shaped water passage;~~

a separation vessel formed underneath said basin, said  
separation vessel extended continuously having downwardly  
extending sidewalls that extend in a continuous manner  
directly vertically downward from said opening, and are  
commensurate with a perimeter of said opening, said  
separation vessel forming vertically half of a letter U-  
shaped passage which begins at the opening;

a total oil recovering system comprising a draining  
means in the water storage vessel at a height of a  
predetermined water level and an open/close means on a side  
of the separation vessel at the same height as the draining  
means.

REMARKSA. Request for Reconsideration

Applicant has carefully considered the matters raised by the Examiner in the outstanding Office Action but remains of the position that patentable subject matter is present. Applicant respectfully requests reconsideration of the Examiner's position based on the claim amendments and following remarks.

B. Claim Status

Claims 5-11 are pending and presented for further prosecution.

C. Claim Rejections - 35 U.S.C. §112

Claim 11 had been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim the subject matter which Applicant regards as the invention. Specifically, the recitation "the separate vessel" in line 5 lacks antecedent basis.

Claim 11 has been amended herein.

D. Claim Rejections - 35 U.S.C. § 103

Claims 5, 7, 8, 10 and 13 had been rejected as being unpatentable over Kelly (U.S. Patent 1,164,527), Cantrell (U.S. Patent Appln. 2003/0033670) and Lynch (U.S. Patent 4,333,835); Claim 6 had been rejected as being unpatentable over Kelly ('527), Cantrell ('670) and Lynch ('835) as applied to claim 5 and further in view of Maranville (U.S. Patent 911,214); and Claim 9 had been rejected as being unpatentable over Kelly ('527), Cantrell ('670) and Lynch ('835) as applied to claim 5 and further in view of Broughton (U.S. Patent 4,396,508) or Hirshstein (U.S. Patent 2,284,737).

The Examiner acknowledged that Kelly does not teach a basin having an opening in the bottom wall and a separation vessel being underneath the basin. The Examiner, however, cited Cantrell to teach such a basin and the separation vessel underneath.

Applicant has amended Claims 5, 10 and 11 to clarify that the sidewalls of the separation vessel extended directly, vertically, downward from the opening in the bottom wall of the basin. Shown in Figure 6, the separation



vessel is formed underneath the basin's opening and the sidewalls are commensurate with the opening's perimeter. The present invention does not require a valve or joint attached to the bottom wall at the opening to connect a tube, pipe or a separation vessel. All proper art references require additional components to connect the separation vessel to the basin. Kelly, Cantrell and/or Lynch do not teach such features.

Moreover, the use and position of the upper and lower open/close means in the present invention is distinguishable from the prior art. Lynch does not disclose an open/close means. Cantrell only discloses one open/close means. Finally, Kelly only discloses one open/close means. None of the prior art discloses an upper and lower open/close means. Thus, the present invention does not merely shift position of elements.

Claims 7 and 8 depend on Claim 5 and are deemed patentable over Kelly, Cantrell and Lynch for the same reasons as Claim 5.

Claims 6 and 9 depends on Claim 5. As demonstrated above, Kelly, Cantrell and Lynch do not teach or suggest

the separation vessel being extended directly from said opening underneath the basin, as in Claim 5. Broughton and Hirshstein do not teach or suggestion these features either.

Therefore, it is respectfully submitted the combination of Kelly, Cantrell, Lynch and Broughton or Hirshstein does not render the subject matter in Claim 5 and its dependent Claims 6 - 9 obvious or claims 10 or 11 obvious.

E. Conclusion

It is respectfully submitted that application is in condition for allowance, and such action is hereby requested. Should any fees or extensions of time be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit account number 02-2275.

Respectfully submitted,

LUCAS & MERCANTI, LLP

By: Donald C Lucas  
Donald C. Lucas, Reg. No. 31275  
(Attorney for Applicant(s))  
475 Park Avenue South  
New York, New York 10016  
Tel. (212) 661-8000

DCL/YDC/JRW